

# SMITH MOORE LLP

ATTORNEYS AT LAW

RECEIVED  
CENTRAL FAX CENTER

OCT 16 2006

## FACSIMILE

DATE: October 16, 2006

To: FAX No.: PHONE No.:

**Examiner Michael Bernshteyn**  
**USPTO - Art Unit 1713**

**571-273-8300**

FROM: Philip P. McCann PHONE: 336.378.5302

RE: Serial No. 10/517,572 Filed: 12/9/2004  
 Confirmation No. 2696

Number of Pages with Cover Page: /

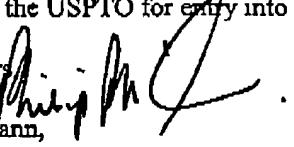
## MESSAGE:

Dear Examiner Bernshteyn:

I understand that you have reviewed the fact that a response to the 4/13/06 Office Action was filed on 7/12/06 and was not entered into the file with your supervisor, David Wu. Per your instructions during our telephone call today, the response mailed 7/12/06 and a copy of the post card stamped 7/17/06 is being faxed to the USPTO for entry into the application having serial # 10/517,572.

Sincerely yours,

Philip P. McCann,  
 Smith Moore LLP  
 Reg. No. 30,919



**CONFIDENTIALITY NOTICE:** This facsimile transmission and the information contained herein are confidential, intended only for the recipient(s) designated above, and may contain information that is legally privileged, attorney work product, or exempt from disclosure under applicable law. If you have received this facsimile in error, or are not the named recipient(s), you are hereby notified that any review, dissemination, distribution or copying of this facsimile and the information contained herein is strictly prohibited. In that event, please immediately notify the sender and return the original message to us via U.S. Postal Service. Thank you.

**IRS CIRCULAR 230 NOTICE:** To ensure compliance with the requirements of IRS Circular 230, we inform you that any U.S. tax advice contained in this communication or attachment hereto is not intended or written to be used and cannot be used for the purpose of avoiding penalties under the Internal Revenue Code or for promoting, marketing or recommending to another party any transaction or matter addressed in this communication or attachment.

If you do not receive all of the pages, please call \_\_\_\_\_ at \_\_\_\_\_ as soon as possible.